IN THE HIGH COURT OF PUNJAB AND HARYANA AT

CHANDIGARH

CWP No.14441 of 2006
Date of Decision: 11.09.2006

Mohan Lal and others

Petitioners

versus

State of Punjab and others

Respondents

CORAM:- **HON'BLE MR. JUSTICE JASBIR SINGH**

HON'BLE MR. JUSTICE PRITAM PAL

Present: Shri P.S.Khurana, Advocate for the petitioners

Jasbir Singh, J. (Oral)

This writ petition has been filed with a prayer to issue a writ of certiorari quashing action of respondent No.3 in realising/ encashing the amount of bank guarantee, which was lying with it by way of security.

It is contention of counsel for the petitioners that the bank guarantee should not have been encashed because the petitioners have to recover an amount of more than Rs.11 lac from the Municipal Committee. In a way, present writ petition is a suit for recovery. Furthermore, there are disputed questions of fact as the parties are disputing terms and conditions of agreement. No case is made out for interference under Articles 226/227 of the Constitution of India.

Dismissed.

(Jasbir Singh)
Judge

September 11, 2006
gk

(Pritam Pal)
Judge